

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

AUG 02 2016

JULIA C. DUDLEY, CLERK
BY: *HMcDonald*
DEPUTY CLERK

DEANDRE L'OVERTURE JACKSON,)
Plaintiff,)
v.)
DAVID ROBINSON, et al,)
Defendant(s).)

Civil Action No. 7:16-cv-00263

MEMORANDUM OPINION

By: Jackson L. Kiser
Senior United States District Judge

DeAndre L'Overture Jackson, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered June 29, 2016, the court directed plaintiff to submit within 20 days from the date of the Order the signed consent to fee form in order to complete the application to proceed in forma pauperis. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions.¹ Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 2nd day of August, 2016.

Jackson L. Kiser
Senior United States District Judge

¹ Plaintiff filed interrogatories to the magistrate judge, noting that he would not sign the consent to fee if the magistrate judge did not respond within three days. More than three days passed, and consequently, plaintiff has clearly expressed that he does not intend to comply with the court's order.